

1 JEFFREY B. COOPERSMITH (SBN 252819)  
2 WALTER F. BROWN (SBN 130248)  
3 MELINDA HAAG (SBN 132612)  
4 RANDALL S. LUSKEY (SBN 240915)  
5 STEPHEN A. CAZARES (SBN 201864)

6 ORRICK, HERRINGTON & SUTCLIFFE LLP  
7 The Orrick Building  
8 405 Howard Street  
9 San Francisco, CA 94105-2669  
10 Telephone: +1-415-773-5700  
11 Facsimile: +1-415-773-5759

12 Email: jcoopersmith@orrick.com; wbrown@orrick.com;  
13 mhaag@orrick.com; rluskey@orrick.com;  
14 scazares@orrick.com

15 Attorneys for Defendant  
16 RAMESH "SUNNY" BALWANI

17 UNITED STATES DISTRICT COURT  
18 NORTHERN DISTRICT OF CALIFORNIA  
19 SAN JOSE DIVISION

20 UNITED STATES OF AMERICA,

21 Plaintiff,

22 v.

23 ELIZABETH HOLMES and RAMESH  
24 "SUNNY" BALWANI,

25 Defendants.

Case No. CR-18-00258-EJD

**DEFENDANT RAMESH "SUNNY"  
BALWANI'S JOINDER IN MS.  
HOLMES' MOTION TO DISMISS IN  
PART COUNTS TWO AND NINE  
THROUGH ELEVEN OF SECOND  
SUPERSEDING INDICTMENT AND  
COUNTS TWO AND NINE THROUGH  
TWELVE OF THIRD SUPERSEDING  
INDICTMENT AND MOTION TO  
STRIKE**

**Date: October 6, 2020**

**Time: 10:00 a.m.**

**CTRM: 4, 5th Floor**

**Hon. Edward J. Davila**

26 Defendant Ramesh Balwani joins in the Motion to Dismiss in Part Counts Two and Nine  
27 Through Eleven of Second Superseding Indictment and Counts Two and Nine Through Twelve of  
28

1 Third Superseding Indictment and Motion to Strike filed by Defendant Elizabeth Holmes (Dkt.  
2 No. 499).

3 DATED: August 28, 2020

Respectfully submitted,

4 ORRICK HERRINGTON & SUTCLIFFE LLP

5  
6 By: /s/ Jeffrey B. Coopersmith  
Jeffrey B. Coopersmith

7 Attorney for Defendant  
8 RAMESH BALWANI  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28